IV. Conclusion

Examination and allowance of claims 19-24 is requested.

Respectfully submitted

Date: July 28, 2003

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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this Transmittal Letter, the Divisional Patent Application, Preliminary Amendment and the attached documents referred to as enclosed herein are being deposited with the United States Postal Service on this date **July 28, 2003** in an envelope as "Express Mail Post Office to Addressee" Mailing Label number EV295683064US addressed to Mail Stop: Patent Application, Commissioner for Patents, Alexandria, VA 22313-1450.

Susan Bartholomew
Name of person mailing paper

Date: July 28, 2003

Signature of person mailing paper

THE FOLLOWING IS A MARKED UP VERSION OF PAGE 1 OF THE SPECIFICATION

BOTULINUM TOXIN ELUTING STENT~~METHOD FOR TREATING CARDIAC MUSCLE DISORDERS~~

CROSS REFERENCE

This application is a continuation of pending application serial number 10/114,740, filed April 1, 2002, which is a continuation in part of pending application serial number 09/371,354, filed August 10, 1999. The entire contents of these prior patent applications are incorporated herein by reference.

by

Gregory F. Brooks and Stephen Donovan

BACKGROUND

The present invention relates to a method for treating cardiac muscle disorders. In particular, the present invention relates to a method for treating cardiac arrhythmia by administration of a neurotoxin to cardiac muscle.

The pumping action of the heart is controlled by sympathetic and parasympathetic (primarily vagal) nerves which abundantly innervate the heart. Heart rate can be increased by sympathetic stimulation and decreased by vagal stimulation. Additionally, many cardiac fibers, such as the sinus node (also called sinoatrial or SA node) have the capability of self-excitation. Stimulation of the sympathetic nerves causes release of norepinephine at the sympathetic nerve endings. Contrarily, stimulation of the parasympathetic nerves to the heart causes acetylcholine to be released at the vagal nerve endings. Hence, the parasympathetic nervous system is often referred to as a cholinergic system.

The release of acetylcholine by the postganglionic parasympathetic nerve endings, by acting upon the muscarinic receptors present in cardiac muscle tissue, as indicated, decreases the rate of rhythm of the sinus node and decreases the excitability of the AV junctional fibers between the atrial musculature and the AV node, thereby slowing transmission of the cardiac impulse into the ventricles. The major site of action of parasympathetic control of the heart appears to be the sinoatrial node, where it reduces the heart rate in

MARKED UP VERSION OF THE CLAIMS

Claims 1-18 (cancelled).

19. (original) A composition for use in a cardiovascular procedure comprising a stent with a botulinum toxin attached or imbedded therein.

20. (original) The composition of Claim 19 wherein the botulinum toxin is botulinum toxin type A.

21. (new) The stent of claim 19 wherein the botulinum toxin elutes from the stent.

22. (new) The stent of claim 19 wherein the botulinum toxin is selected from the group consisting of botulinum toxins A, B, C, D, E, F and G.

23. (new) A stent for use in a cardiovascular procedure comprising a botulinum toxin attached or embedded therein.

24. (new) An angioplasty balloon for use in a cardiovascular procedure comprising a botulinum toxin attached or embedded therein.